

is supposed to occur *before* the close of fact discovery. Basically, getting 99% of your documents in should (and must) occur before you get 100% of your documents in.

Whatever else happened with a potential settlement that fell apart or counsel's email chains doesn't matter. Because of the latent mistake in the scheduling order and the stage of the litigation, all factors¹ weigh in favor of granting the extension. As a result, the Court **GRANTS IN PART** the motion and will issue an amended scheduling order.

Importantly, the Court only grants in part because of the nature of this quick-turnaround briefing and due to some scheduling oddities in the proposed schedule. So, the Court will grant some but not all of what Feit asks for. The Court will also amend the pretrial order and related deadlines. An amended scheduling order will follow.

IT IS SO ORDERED this 31st day of July, 2025.



BRANTLEY STARR
UNITED STATES DISTRICT JUDGE

¹ *Geiserman v. MacDonald*, 893 F.2d 787, 791 (5th Cir.1990) (“(1) the explanation for the failure to [complete discovery]; (2) the importance of the testimony; (3) potential prejudice in allowing the testimony; and (4) the availability of a continuance to cure such prejudice.”).